IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.34345 of 1998

Between:

1 M/s Swarna Sea Foods Ltd., Rep. by its Executive Director

Sri Swarna Rama Kota Reddy,
Plot No.20, Vijayanagar Palace Layout,
Pedawaltair, Visakhapatnam-17.
2 D. Ravindra Kumar Reddy S/o late Balram Reddy
R/o GBI, Ashray Apts., Valmiki Nagar, Madras,
Managing Director, M/s Swarna Sea Foods Ltd., Peda Waltair,

Visakhapatnam

..... PETITIONERS

AND

1 Agricultural Market Committee Rep. by its Secretary,
Bhimavaram
2 Agricultural Market Committee Rep. by its Secretary,
Visakhapatnam
3 Agricultural Market Committee Rep. by its Secretary,
Akiveedu

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction holding that the respondents do not have jurisdiction to prosecute for alleged violation of Sec.17 of the A.P. (Agricultural Produce and Live Stock) Markets Act, 1966 or jurisdiction under the byelaws to assess the transaction of purchase of Prawns/Fish by the petitioners and consequently interdict the respondents from levying any market fee on the petitioners or prosecute the petitioners for alleged voilation of any

provision of the A.P. (Agricultural Produce and Live Stock) Markets Act, 1966.

Counsel for the Petitioners: MR. G. MANOHAR

Counsel for the Respondents: MR. K. MADHAVA REDDY (SC FOR AGRICULTURAL MARKET COMMITTEE)

The Court made the following:

ORDER:

The writ petition is filed seeking to declare that Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966 (for short "the Act") has no application to the prawn trade and to declare that the petitioners are not liable to pay licence fee and market fee and to interdict the respondents from taking any action against the petitioners under the said Act.

When the matter came up today, the learned counsel for the petitioners submitted that the subject matter involved in this writ petition fell for consideration before the Apex Court in **I.T.C. Ltd., Vs. Person Incharge, Agricultural Market Committee, Kakinada and others**, wherein it was held that Market Committee is empowered to levy fees on the Prawn under Section 12 of the A.P. (Agricultural Produce & Livestock) Markets Act (16 of 1966).

Under the circumstances, following the said judgment, the writ petition is also dismissed for the same and similar reasons. No costs.

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N.V. RAMANA, J

Date: 12.04.2005.

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Agricultural Market Committee,
Bhimavaram
2 The Secretary, Agricultural Market Committee,

Visakhapatnam
3 The Secretary, Agricultural Market Committee,
Akiveedu

4 Two CD copies

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